

Article - Local Government

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§12-532.

(a) Except as provided in subsection (c) of this section, Cecil County shall obtain the following by competitively bid contract awarded to the lowest responsive and responsible bidder:

- (1) the building or repair of a road; and
- (2) the purchase or lease of road or construction equipment or machinery.

(b) (1) The governing body of Cecil County shall advertise for bids on a contract under subsection (a) of this section in at least one newspaper of general circulation in the county.

- (2) The advertisement shall:
 - (i) appear at least once;
 - (ii) appear at least 1 week, but not more than 30 days, before the final date for submitting bids;
 - (iii) if the contract relates to building or repairing a road, set forth the place where the road is to be built or repaired;
 - (iv) include a description of the goods or services required under the contract;
 - (v) state that sealed bids for goods or services will be received until the date designated in the advertisement; and
 - (vi) designate a date for the opening of the bids.

(c) (1) Subsections (a) and (b) of this section do not apply to an expenditure that:

- (i) is \$10,000 or less; or
- (ii) the governing body of Cecil County by a recorded majority vote taken at a public meeting declares to be an emergency expenditure.

(2) For an expenditure under this subsection, the governing body may determine:

- (i) the manner of providing for the expenditure; and
- (ii) if the building or repair is by contract, the manner in which the contract is awarded.

(d) (1) A contract entered into in violation of subsection (a) or (b) of this section is void, unless:

- (i) a court determines in a judicial action that all parties acted in good faith; and
- (ii) the parties have substantially complied with the provisions of subsections (a) and (b) of this section.

(2) If a contract is void under this subsection, the governing body of Cecil County shall compensate the contractor for costs actually incurred if the contractor:

- (i) acted in good faith;
- (ii) did not directly contribute to the violation; and
- (iii) did not know of the violation.

(e) A person who willfully violates this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000.

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